



**UNITED STATES DEPARTMENT OF EDUCATION**

**OFFICE OF THE SECRETARY**

**FOIA Service Center**

February 27, 2019

Emma Best  
MuckRock News  
411-A Highland Ave  
Somerville, MA 02144-2516

RE: FOIA Request No. 19-00797-F

Dear Ms. Best

This letter is a final response to your request for information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, dated January 30, 2019 and received in this office on January 31, 2019. Your request was forwarded to the appropriate offices to search for documents that may be responsive to your request.

You requested the following:

Copies of emails, memos, letters, reports, statistics and other records mentioning or describing the 2018–19 United States federal government shutdown (2018 December 22 - 2019 January 25) on the processing of FOIA requests or handling of FOIA-related litigation, as well as on other public transparency, disclosure or declassification programs.

Attached to this e-mail are 23 pages of documents responsive to your request. The documents provided are:

- 19-00797-F (JS) - 13 pages
- 19-00797-F (Mayo-Tall) - 3 pages
- 19-00797-F (Wilson) - 7 pages

However, certain information has been withheld according to FOIA exemptions specified below:

- Records or portions of records relating to certain intra-agency information is exempt from disclosure pursuant to 5 U.S.C. § 552(b)(5) of the FOIA. This exemption permits the withholding of inter- or intra-agency information that could be withheld under civil discovery, including information subject to the deliberative process, attorney-client, or attorney-work product privileges.
- Records or portions of records relating to personal information is exempt pursuant to 5 U.S.C. § 552 (b)(6) of the FOIA. Disclosure of this information would constitute a clearly unwarranted invasion of personal privacy.

You have the right to seek assistance and/or dispute resolution services from the Department's FOIA Public Liaison or the Office of Government Information Services (OGIS). The FOIA Public Liaison is responsible, among other duties, for assisting in the resolution of FOIA disputes. OGIS, which is outside the Department of Education, offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to appeals or litigation. They can be contacted by:

Mail	FOIA Public Liaison Office of the Chief Privacy Officer U.S. Department of Education 400 Maryland Ave., SW, LBJ 2W7C132 Washington, DC 20202-4536	Office of Government Information Services National Archives and Records Administration 8601 Adelphi Road Room 2510 College Park, MD 20740-6001
E-mail	<a href="mailto:robert.wehausen@ed.gov">robert.wehausen@ed.gov</a>	<a href="mailto:OGIS@nara.gov">OGIS@nara.gov</a>
Phone	202-205-0733	301-837-1996; toll free at 1-877-684-6448
Fax	202-401-0920	301-837-0348

You have the right to appeal this decision by writing to the address below, 90 calendar days from the date of this letter. Using the services described above does not affect your right or the deadline to file an appeal. Your appeal must be in writing and must include detailed statement of all legal and factual bases for the appeal; it should be accompanied by this letter, a copy of your initial letter of request, and any documentation that serves as evidence or supports the argument you wish the Department to consider in making an administrative determination on your appeal.

Appeals may be submitted using the on-line form available at  
[www.ed.gov/policy/gen/leg/foia/foia-appeal-form.pdf](http://www.ed.gov/policy/gen/leg/foia/foia-appeal-form.pdf).

E-mail: [EDFOIAappeals@ed.gov](mailto:EDFOIAappeals@ed.gov)  
Fax: 202-401-0920  
Mail: FOIA Appeals Office  
Office of the Secretary  
U.S. Department of Education  
400 Maryland Avenue, SW, LBJ 7W106A  
Washington, DC 20202-4536

Sincerely,  
*Robert Wehausen*  
Robert Wehausen  
Team Lead  
FOIA Service Center